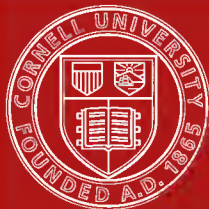


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Association for International Conciliation

PRO PATRIA PER ORBIS CONCORDIAM

RESULTS OF The National Arbitration and Peace Congress



BY

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American Branch of the Association for International Conciliation
542 Fifth Avenue, New York City

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The Peace Congress of 1907 has brought four objections clearly before us:

FIRST OBJECTION.—Nations cannot submit all questions for arbitration.

Answer.— Some of them have recently done so by treaty. So much for the claim that nations cannot submit all questions. They have done it.*

SECOND OBJECTION.—Justice is higher than peace.

Answer.— The first principle of natural justice forbids men to be judges when they are parties to the issue. All law rests upon this throughout the civilized world. Were a judge known to sit upon a case in which he was secretly interested he would be dishonored and expelled from his high office.

If an individual refused to submit his dispute with a neighbor to disinterested parties (arbiters

*In 1905 Norway and Sweden concluded several special treaties providing for arbitration of *all* questions arising under them, and also a general treaty empowering the Hague Court to decide all other questions, except such as involve independence, integrity, or vital interests.

In case of difference on the point that "vital interests" are involved in any controversy, the Hague Court is authorized by the treaty to decide this question.

The reservation of the questions of the independence and integrity of nations in arbitration treaties is of minor importance and need not be seriously objected to, since they are rarely at issue.

or judges) and insisted upon being his own judge, he would violate the first principles of justice. If he resorted to force in defense of his right to judge, he would be dishonored as a breaker of the law. Thus peace with justice is secured through arbitration, either by court or by tribunal, never by one of the parties sitting as judge of his own cause.

Nations, being only aggregates of individuals, they will not reach justice in their judgments until the same rule holds good, viz.: That they, like individuals, shall not sit as judges in their own causes. What is unjust for individuals is unjust for nations. Justice is justice, unchangeable, and should hold universal sway over all men and over all nations.

THIRD OBJECTION.—It is neither peace nor justice, but righteousness, that exalteth a nation.

Answer.—Righteousness is simply doing what is right. What is just is always right; what is unjust is always wrong. It being the first principle of justice that men shall not be judges in their own causes, to refuse to submit to judge or arbitrate is unjust, hence not right,

for the essence of righteousness is justice. Therefore, men who place justice or righteousness above peace practically proclaim, as it appears to me, that they will commit injustice and discard righteousness by constituting themselves sole judges of their own cause in violation of **law**, justice, and right.

Civilized man has reached the conclusion that he meets the claims of justice and of right only by upholding the present reign of law. Our pressing duty is to extend its benignant reign to combinations of men called nations. What is right for each individual must be right for the nation. This union of law and justice, insuring "Peace and good-will among men." through disinterested tribunals, is "righteousness which exalteth a nation." The demand that interested parties shall sit in judgment is the "self righteousness that degrades a nation."

FOURTH OBJECTION.—We cannot permit our country to be dishonored by any power

Answer.— Our country cannot be dishonored by any power or by all the powers combined. No man can be dishonored by other

men. It is impossible. All honor-wounds are self-inflicted. We ourselves only can dishonor ourselves, or our country. One sure way of doing so is to insist upon the unlawful and unjust demand that we sit as judges in our own cause instead of offering to abide by the decision of a disinterested court or tribunal. Having offered peaceful settlement to our opponent, we have done our duty. If then attacked, it becomes our duty to defend our country, ourselves, family, and friends; but that which makes it so, also makes it our holy duty not to attack the country, homes and lives of others.

Since war decides not who is right, but only who is strong, it is difficult to understand how a moral being can conscientiously appeal to it before exhausting all peaceable means.

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